

AMENDED IN SENATE APRIL 9, 2015

AMENDED IN SENATE APRIL 6, 2015

**SENATE BILL**

**No. 505**

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**Introduced by Senator Mendoza**

February 26, 2015

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An act to ~~add Section 3011.5 to~~ *amend Section 2300 of the Elections Code, relating to elections.*

LEGISLATIVE COUNSEL'S DIGEST

SB 505, as amended, Mendoza. ~~Vote by mail ballots; envelopes Voter Bill of Rights.~~

*Existing law sets forth requirements and entitlements with respect to the right to vote in California elections. Among the requirements for voters is United States citizenship. Existing law establishes a Voter Bill of Rights enumerating the rights of voters as established under existing law and requires the Voter Bill of Rights, worded as specified, to be made available to the public. Existing law permits the Secretary of State to develop regulations to implement and clarify the Voter Bill of Rights.*

*This bill would eliminate the requirement that the Voter Bill of Rights be worded as specified and would instead authorize the Secretary of State to revise the wording as necessary to ensure understanding.*

~~Existing law requires that a vote by mail ballot be available to any registered voter. Existing law requires an elections official to deliver to each qualified applicant for a vote by mail ballot all supplies necessary for the use and return of the ballot, including an identification envelope containing certain information, as specified.~~

~~This bill would require the Secretary of State, no later than January 1, 2017, to study and recommend revisions to the design and text of the~~

~~identification envelope, as specified, and to submit those recommendations to the Legislature.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 2300 of the Elections Code is amended*  
2     *to read:*

3     2300. (a) All voters, pursuant to the California Constitution  
4     and this code, shall be citizens of the United States. There shall  
5     be a Voter Bill of Rights for voters, available to the public, which  
6     shall ~~read~~ convey all of the following to voters:

7     (1) (A) You have the right to cast a ballot if you are a valid  
8     registered voter.

9     (B) A valid registered voter means a United States citizen who  
10    is a resident in this state, who is at least 18 years of age and not in  
11    prison or on parole for conviction of a felony, and who is registered  
12    to vote at his or her current residence address.

13    (2) You have the right to cast a provisional ballot if your name  
14    is not listed on the voting rolls.

15    (3) You have the right to cast a ballot if you are present and in  
16    line at the polling place prior to the close of the polls.

17    (4) You have the right to cast a secret ballot free from  
18    intimidation.

19    (5) (A) You have the right to receive a new ballot if, prior to  
20    casting your ballot, you believe you made a mistake.

21    (B) If at any time before you finally cast your ballot, you feel  
22    you have made a mistake, you have the right to exchange the  
23    spoiled ballot for a new ballot. Vote by mail voters may also  
24    request and receive a new ballot if they return their spoiled ballot  
25    to an elections official prior to the closing of the polls on election  
26    day.

27    (6) You have the right to receive assistance in casting your  
28    ballot, if you are unable to vote without assistance.

29    (7) You have the right to return a completed vote by mail ballot  
30    to any precinct in the county.

31    (8) You have the right to election materials in another language,  
32    if there are sufficient residents in your precinct to warrant  
33    production.

1 (9) (A) You have the right to ask questions about election  
2 procedures and observe the election process.

3 (B) You have the right to ask questions of the precinct board  
4 and elections officials regarding election procedures and to receive  
5 an answer or be directed to the appropriate official for an answer.  
6 However, if persistent questioning disrupts the execution of their  
7 duties, the board or election officials may discontinue responding  
8 to questions.

9 (10) You have the right to report any illegal or fraudulent  
10 activity to a local elections official or to the Secretary of State's  
11 office.

12 (b) Beneath the Voter Bill of Rights there shall be listed a  
13 toll-free telephone number to call if a person has been denied a  
14 voting right or to report election fraud or misconduct.

15 (c) The Secretary of State may ~~develop~~ *do both of the following:*

16 (1) *Develop* regulations to implement and clarify the Voter Bill  
17 of Rights set forth in subdivision (a).

18 (2) *Revise the wording of the Voter Bill of Rights as necessary*  
19 *to ensure the use of clear and concise language free from technical*  
20 *terms.*

21 (d) The Voter Bill of Rights set forth in subdivisions (a) and (b)  
22 shall be made available to the public before each election and on  
23 election day, at a minimum, as follows:

24 (1) The Voter Bill of Rights shall be printed in the statewide  
25 voter pamphlet, pursuant to Section 9084, in a minimum of  
26 12-point type. Subparagraph (B) of paragraph (1) of subdivision  
27 (a), subparagraph (B) of paragraph (5) of subdivision (a), and  
28 subparagraph (B) of paragraph (9) of subdivision (a) may be printed  
29 in a smaller point type than the rest of the Voter Bill of Rights.

30 (2) Posters or other printed materials containing the Voter Bill  
31 of Rights shall be included in precinct supplies pursuant to Section  
32 14105.

33 ~~SECTION 1. Section 3011.5 is added to the Elections Code,~~  
34 ~~to read:~~

35 ~~3011.5. No later than January 1, 2017, the Secretary of State~~  
36 ~~shall study and recommend to the Legislature revisions to the~~  
37 ~~design and text of the identification envelope described in Section~~  
38 ~~3011. In making his or her recommendation, the Secretary of State~~

- 1 ~~shall consider voters' ability to easily understand information~~
- 2 ~~contained on the envelope.~~

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